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9 **UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON AT TACOMA**

10 TRAVELERS CASUALTY AND SURETY  
11 COMPANY OF AMERICA, a Connecticut  
corporation,

12 Plaintiff,

13 v.

14 SPECIALIZED LANDSCAPING, INC., a  
15 Washington corporation; MICHAEL B.  
PILAND, and ROBIN STEPHANIE  
PILAND,

17 Defendants.

18 SPECIALIZED LANDSCAPING, INC., a  
Washington corporation;

19 Third Party Plaintiff,

20 v.

21 ELLIOTT BAY PUBLISHING, INC.  
d/b/a ELLIOTT BAY  
MANAGEMENT GROUP, a  
22 Washington corporation; LYNN  
TAYLOR and JANE DOE TAYLOR,  
husband and wife and their marital  
community,

25 Third Party Defendants,

NO. CV04-5789 FDB

STIPULATION AND  
[PROPOSED] ORDER  
FOR DISMISSAL WITHOUT  
PREJUDICE

27 STIPULATION AND ORDER FOR  
DISMISSAL WITHOUT PREJUDICE - 1

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1  
2 ELLIOTT BAY PUBLISHING, INC.,  
d/b/a ELLIOTT BAY  
3 MANAGEMENT GROUP,

4 Third Party Plaintiffs,

5 v.

6 MICHAEL PILAND and ROBIN  
7 STEPHANIE PILAND, husband and  
wife and their marital community,

8 Third Party Defendants.

9  
10 COMES NOW the above-captioned plaintiff Travelers Casualty & Surety Company  
11 of America ("Travelers") and the defendants Specialized Landscaping, Inc., Michael Piland  
12 and Robin Stephanie Piland, and stipulate and agree as follows:

13 1. That all claims of Travelers against Specialized Landscaping, Inc., Michael  
14 Piland and Robin Stephanie Piland, and all claims of Specialized Landscaping, Inc., Michael  
15 Piland and Stephanie Piland against Travelers are dismissed without prejudice and without an  
16 award of costs or attorney's fees to any party.

17 2. That nothing herein affects the remaining claims in this lawsuit.

18 Dated:

19  
20 SCHIFFRIN OLSON SCHLEMlein & HOPKINS,  
21 P.L.L.C.

22  
23 By: \_\_\_\_\_  
Andrew W. Torrance, WSBA #11546  
24 Attorneys for plaintiff Travelers Casualty and  
Surety Co. of America

25  
26 STIPULATION AND ORDER FOR  
27 DISMISSAL WITHOUT PREJUDICE - 2

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1 Dated:

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3 By: \_\_\_\_\_  
4 Mark Clausen, WSBA #  
5 Attorney for Defendants Michael Piland, Stephanie  
6 Piland and Specialized Landscaping, Inc.

7 ORDER

8 IT IS SO ORDERED at Tacoma, Washington, this 4<sup>th</sup> day of January 2006.

9   
10 FRANKLIN D. BURGESS  
11 UNITED STATES DISTRICT JUDGE